

# The Sun

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## Has Cuba Challenged Us?

A bill which provides for a second payment of \$25,000,000 to the soldiers of the Cuban insurrection and to the users who have bought up the Cuban claims has passed the Cuban House and the Cuban Senate. If it has not already been signed by President PALMA, it soon will be. He is committed to the measure. A bill now pending provides for a review of still other claims, as yet unrecognized, reported as aggregating \$18,000,000 in their aggregate.

The terms of the Platt Amendment have been embodied in a permanent treaty with the United States. After signature, ratification and exchange of ratifications, this treaty was proclaimed on July 2, 1904. So far as Cuba's relations with the United States are concerned, this instrument is of more direct and binding force than any provision of the Cuban Constitution. Article II. of the permanent treaty declares:

"The Government of Cuba shall not assume or contract any public debt, to pay the interest upon which and to make reasonable sinking fund provision for the ultimate discharge of which the ordinary revenues of the island of Cuba, after defraying the current expenses of the Government, shall be inadequate."

Cuba's own Constitution declares in Section 3 of Article XIX, that her Congress "shall be under the obligation of deciding what permanent revenues shall be necessary for the payment of the interest and redemption of loans contracted. The permanent treaty declares imperative a provision for interest payments and a "reasonable sinking fund." The bill just passed simply says that the bonds to be issued shall bear interest at the rate of five per cent. per annum, "payable half yearly by means of coupons to be given with the bond," and that "in every ordinary budget the sum which Congress may decide to devote to the amortization of the bonds will be stated." In other words, no definite provision is made for the payment of interest charges on a bond issue which will approximate \$20,000,000, and amortization is to depend upon such appropriation as the Congress may see fit to make from year to year.

The ground on which the supporters of this measure stand in their raid on the treasury and their imposition of a burden far beyond the present financial ability of the island is that the issue of bonds is to constitute an "interior debt" and is therefore not subject to the provisions of the treaty. The terms of that instrument are "Shall not assume or contract any public debt." This ground is approved by President PALMA, notwithstanding his statement in his message of last November that "Article II. of the appendix to the Constitution forbids the contraction of a public debt—interior or exterior."

With Cuba's violation of her own Constitution we may have nothing to do. Yet it may be noted incidentally that when the bill was passed in neither house was there cast the vote of the requisite two-thirds of the total number of the members as definitely specified in Section 3, Article XIX, of the Cuban Constitution.

If the obligation for which this bill provides payment had been lawfully incurred, if the measure had been lawfully passed, and if the burden imposed were one which Cuba could carry without serious danger to her financial stability, the United States could have nothing to say. As it is, the measure is a dire menace to the immediate future of the country and a clear violation of the terms upon which the Government was transferred to the control of the Cuban people.

## Why the Japanese Demand an Indemnity.

There seems to be some misconception concerning the grounds on which Japan insists upon being reimbursed for her outlay in the present war. When those grounds are clearly understood it will be recognized that the demand deserves the moral support of neutral onlookers.

It is assumed by many debaters of the question, and notably by Mr. DE MAARTENS, the well known Russian authority on international law, that the essence of an indemnity is ransom. The advocates of this view allege that no country ever has been or ever ought to be called upon to pay money as a condition of peace except by way of a consideration for the recovery of territory wrested from it by an opponent. It is true that the precedents for an indemnity are brought forward from the history of the last hundred years appear at first sight to favor such a definition of the term. When by the peace of Tilsit NAPOLEON exacted from Prussia \$300,000,000, French troops were in possession of Berlin and had overrun the greater part of Prussian territory. So in 1815, when the Allied Powers imposed on France an indemnity of \$600,000,000 (subsequently reduced), their soldiers were occupying Paris and a large section of the French soil. A similar state of things existed in 1871, when Germany, having captured Paris and conquered most of France south of the Loire, demanded and obtained a billion dollars, in addition to Alsace-Lorraine. In 1878 the Sultan ABDUL HAMID consented, by the treaty of San Stefano, to pay a huge indemnity (afterward cut down at Ber-

lin), but the victorious Russian army had the whole of European Turkey at its mercy and was encamped in sight of Constantinople. These examples seem at the first glance to uphold the Russian declaration that their country, having encountered reverses only on a remote frontier, has nothing to ransom except the convict island of Sakhalin and her leasehold of the tip of the Liaoting peninsula.

The Japanese hold, on the other hand, that even the historical precedents above cited do not warrant, when closely inspected, the deduction that an indemnity should only be paid by way of ransom for territory actually conquered by an antagonist. They point out that in every one of the above instances an indemnity was paid, not only to recover most of the territory actually lost but to avert the loss of more. They assert—and disinterested observers believe the assertion to be well founded—that if the war continues Port Arthur's fate will be Vladivostok's, LINTSEVICH will suffer a more disastrous defeat than did KUROPATKIN, and Russia will be deprived of the entire valley of the Amur, and in fact of the whole of Siberia east of Lake Baikal. Neither can it be taken for granted that Russia's humiliation would stop there. As we have often pointed out, it should be quite as easy for the Japanese army under OTAMA to proceed westward by means of the Siberian Railroad to Irkutsk, Tomsk and Tobolsk as it was for Russia to despatch KUROPATKIN's forces to Manchuria; and it should be much easier for a fleet so efficient as that which Togo commanded to reach the Baltic than it was for ROJESTVENSKY to bring his crippled warships to the Strait of Korea. In a word, the compensation exacted by Japan, if fairly regarded as an indemnity at all, would be an indemnity paid, as in many a historical case, for the purpose of averting future injury and disgrace rather than with the sole object of regaining conquered territory.

The Japanese contend, moreover, that there are circumstances under which an indemnity should justly be looked upon less as a ransom than as punitive damages for the perpetration of an international wrong. No fair minded man in any country will deny that Russia by her refusal to keep her written promise to begin the evacuation of Manchuria, her occupation of which was flagrant in its inception, not later than October 1, 1903, was guilty of a gross breach of faith toward not Japan alone, but the United States, Great Britain and every other Power possessing commercial interests in Manchuria. For that act Russia deserved to be brought to the bar of nations and subjected to a fitting penalty. In the interest of all the treaty Powers Japan undertook the function of ejecting Russia from premises upon which the latter was a trespasser. To say, as the Russians seem inclined to do, that Japan, having executed the writ of ejectment, is not entitled to the costs which she has incurred in the process is naturally in the eyes of the Tokio Government absurd. Russia is sacrificing no rightful possession when she agrees to withdraw her armies from Manchuria, where they had no business to be, or to refrain from disputing Japan's preponderance in Korea, which had been established *de facto* and *de jure* by the outcome of the Chinese-Japanese war of 1894-95. Is a robber, ask the Mikado's advisers, adequately punished for his crime when under compulsion he consents to surrender the stolen goods?

We incline to think that the subjects or citizens of every neutral Power of whose interests in Manchuria Japan has stood forth as the champion will upon reflection concur in the Japanese contention that even if they be not deemed entitled to an "indemnity" in the technical historical sense of the word, they have a moral right to demand reimbursement for the cost of ejecting Russia from Manchuria.

## The Maximum and Minimum Tariff.

The course of the discussion at the reciprocity convention in Chicago is not surprising. Advocates of reciprocity, in the form in which it has hitherto been presented, have abundant reason to be discouraged and even hopeless of the outcome of efforts to secure the adoption as a national policy of their favorite theory. Under the circumstances it is natural that they should turn to an alternative which will afford protection against the German menace which is undoubtedly the immediate cause of the Chicago gathering. The nucleus of the meeting is formed by those whose products are threatened by the system to be made effective in Germany next March.

The proposal that the United States shall adopt a maximum and minimum tariff, sometimes known as the dual tariff, should neither be hastily adopted nor lightly dismissed. That system is already in operation in several of the leading countries of Europe, including France, Russia and Spain, and it will come into force in Germany early next year. It might almost be called the Continental system. Brazil has adopted it and Canada has it under consideration. England has considered its adoption in a modified form.

Reciprocity of the kind now in operation between this country and Cuba is of a mild and benevolent type, which enables us to offer a bonus for the trade of another country. It is essentially a Yankee swap. We offer to give so and so in exchange for this and that, and a contract is made by which each obtains a special advantage over competitors in the markets of the other. Reciprocity under the maximum and minimum tariff system may be conducted with equal amiability, but it puts a club behind the door where it is available for pounding anybody who does not let us into his house as freely as we admit any one else.

The double system opens the way to retaliation. Thus its adoption in Germany will undoubtedly curtail our sales to her in the line of foodstuffs and provisions and in some lines of manufactured goods. Under our present system we can but pretend and submit. The double system would permit us to threaten Germany's chemicals, her silk,

her toys and the products of her cotton mills at Chemnitz and elsewhere. We could then agree to put our club behind the door if she would also hide hers.

But Germany, France, Spain and Russia are not the only countries whose trade we have to consider. The double system, like the system which we now employ on a limited scale, implies an exchange of benefits and trade advantages and virtually suppresses the "most favored nation" provision. It is applicable only where each has special advantage to offer in exchange for special advantage. Its operation in this country would put us in something of a quandary regarding our trade with England, our very good friend and largest customer, who now takes from us one-third of all we export and as much as we export to the whole of Continental Europe. Under her fiscal system she has nothing to offer in the way of special advantages, and it might be a little awkward to give her for nothing that which we refuse to others except in exchange for a fair equivalent.

It may be that economic wisdom for this country lies in the direction of a maximum and minimum tariff. But it is decidedly unsafe to jump hastily to such a conclusion.

## The Cracker Cincinnatus.

Before "a magnificent audience, composed of the yeomanry of Warren and adjoining counties," the Hon. HOKE SMITH made "one of the most impressive and earnest speeches of the campaign" the other day. He was introduced by the Hon. LEONARD MASSENGALE in another of the most impressive and earnest speeches of the campaign.

Those issues upon the right settlement of which "depends largely the future of our State"—the "splendor of their manhood," the "shackles," the "veins of our forefathers," "liberty," that heaven born gift to man—these are good old leading motives, familiar phrases. CINCINNATUS is an old friend, too, though it is a little surprising to find the Hon. HOKE SMITH, now or formerly a corporation lawyer, wrapping that ancient chawbacon's toga around his portly bulk:

"Like CINCINNATUS, who left his oxen in the field and rallied to the rescue of his country, so we have to-day a man who has left the field of his own choice and, like a true son of Georgia, has rallied to the call of the people. He does not seek honor, for he has held the next highest office in the gift of the American people. Not for gain—for he leaves a lucrative law practice. But he comes for motives higher than these—his love of justice and his duty to his State."

More "self-sacrifice," more "tremendous sacrifice," in fact. What lovely altruists our statesmen are!

Mr. SMITH now views railroad corporations with alarm. By the way, his "call of the people" is regarded by himself, if the reports are correct, as being a "divine call." The Hon. CLARK HOWELL of the *Atlanta Constitution* is himself a candidate for Governor and regards Mr. SMITH's "call" as "bluff."

Mr. SMITH is no longer in control of the *Atlanta Journal*, but much of the old rivalry between that paper and Mr. HOWELL's continues to blaze. The Georgia editors are skillful politicians, and some of them have no conscientious scruples against holding office, not for the honor, but from a sense of duty to the State.

## A Correction in Justice to Another Mr. Graham.

In an editorial reference yesterday to the surreptitious conveyance to the *New York World* of the testimony taken by State Superintendent of Insurance HENDRICKS in the Equitable case, and entrusted to Attorney-General MAYER that he might have official cognizance thereof, we identified the Mr. GRAHAM in Mr. MAYER's establishment with a Mr. GRAHAM formerly employed by the Associated Press.

This is a mistake which we hasten to rectify in justice to the latter Mr. GRAHAM. His name is GEORGE EDWARD, and although he happens to hail from Albany we are satisfied that there is no reason to connect him with the transaction or to impute to him either willfulness or ability to serve ODELL's subterranean purposes in the matter of the publication.

The other Mr. GRAHAM is JAMES G. GRAHAM, First Deputy Attorney-General under Attorney-General JULIUS M. MAYER. This GRAHAM is a resident of Newburgh, where he has practiced law. He was a member of the Assembly from Orange County in 1899 and 1900, and during both terms he served on the Committee on Insurance. Afterward he became private secretary to Governor ODELL, and held that relation to him, we believe, for the four years.

It is not at the instance of Mr. GRAHAM formerly of the Associated Press, but of its own motion, that THE SUN corrects the error that confused the two persons.

## The Golden Age of the South.

The increase of wealth, of agricultural production and of manufacturing activity in the Southern States is recited with reasonable pride by the *Manufacturers' Record* of Baltimore.

Between 1900 and 1904 the assessed values of property in fourteen of these States increased at the rate of nearly \$250,000,000 a year, and this average is likely to be much greater in 1905. Of the total value of our exports in the last fiscal year more than 30 per cent. represented cotton and its products, and cotton manufactures rank fourth in actual value in the exports of manufactured goods. The South's share in all the exports exceeded six hundred millions, and was 41 per cent.

Next to New York came the port of New Orleans in the value of its exports, then Galveston, and Baltimore fourth.

Between March, 1900, and July of this year 942 national banks, with an aggregate capital of nearly fifty millions, were organized in the Southern States. The market value of the Southern railroads, estimated June 30, 1904, by the Census Bureau at \$2,007,528,000, represented nearly a fifth of the total in the United States. The last number of the *Manufacturers' Record* gives a list of six new railroads in the South incorporated and of various railroad extensions.

## THE EXPERIENCE OF ARMIES.

Arguments for a Conscription Law by a Retired Brigadier-General.

TO THE EDITOR OF THE SUN:—Sir: A just conscription law, that made every young Prussian, Prince and peasant, a thoroughly disciplined soldier, changed the little Prussian State into the great German Empire. Some years ago Japan adopted the German law of conscription and has defeated Russia on land and sea.

In 1862 the Confederates adopted the then Prussian law of conscription. This gave them excellent armies that fought its stronger antagonist on equal terms for four years with a reasonable prospect of success.

During the French Revolution every young man had to serve, which in a few years gave France the finest army, and combined with the genius of Napoleon enabled France to dominate Europe and the world.

For his fall the French authorities destroyed the beneficial features of the conscription law. That is, they exempted the nobility and higher classes from serving in the ranks and required only a few of the poorer (financially) young men to serve, and they were elected by lot.

The French armies were beaten by the Germans in 1870-71. Of course, as soon as the war commenced all young Frenchmen enlisted, but there was no time to discipline them, and the result was a defeat. The French army of 1870-71 was not a conscript army, but an army of French civilians who were not accustomed to firearms, so was useless as a fighting force.

During the Franco-German war the Germans reversed this. One German soldier died of sickness and disease to two German soldiers killed by the French—a record never before made by any army.

The possible explanation is that every German who went into that war had served at least one year as a private soldier in the regular army, having been taken into the army at the conscription law of 1870. After he became 15 years of age. When he entered as a conscript if he had not had the childhood diseases (measles, mumps, chicken pox, etc.) as a boy at home, he promptly had them when he was met, but was soon nursed back to health.

If he became homesick, a few days good conduct furlough brought him back from home cured and cheerful. His military education had increased in severity, and his strength and skill increased. If wounded his well trained and healthy body gave him a reasonable chance of recovering rapidly. Most important of all, he was disciplined. That is, he had acquired the habit of immediately and correctly obeying every order without regard to the discomfort or danger it subjected him to.

When he went into the war he did not get homesick and depressed. He knew that every German of his age was in the army, and that his term of military service would be throughout the war and until it ended.

During the Revolution, the War of 1812 and the Civil War many soldiers who were months in the army the moment their time expired, causing disaster to the army. Possibly their reason for going was homesickness, combined with a feeling of inferiority. They knew there were thousands of young men in the North enjoying the comforts of home, whose duty it was to be in the army taking their proper share of discomfort and danger.

The German knew his military duty and performed it. At the end of the war he was discharged, and if not disabled he was discharged. He believed every man owes military service to his country, and during the war he believed that he had applied for and paid by his country, and he had no further claim because every German had in his turn given similar military service for mutual benefit, and if one had a claim all would be entitled to the same.

NEW YORK, AUG. 17.

## EAST SIDERS IN THE CATSKILLS.

Mountain Districts Where Many Dwellers of the Tenements Sojourn.

WEST KILN, N. Y., Aug. 17.—It is well known that for several years past the Jewish summer colony from New York City has been constantly growing among the Catskill Mountains. The colony is said to be made up of about 25,000 persons, who are considered far and wide among the Catskills. They include some men of large wealth and a great many well to do business men and their families. Some of the best of the houses are almost wholly devoted to their entertainments. The summer visitors at some of the resorts, as Fleischmann's, are almost entirely made up of the Jewish population.

One feature of this summer immigration has greatly surprised the other visitors. Few New York Jews are known to be so enthusiastically devoted to the tenements of the East Side, between City Hall and Forty-second street, can afford to seek relief from the heat and mugginess of the city among the mountains 125 miles from their homes. This may be true of all the other races in our most crowded tenements, but it is not true of thousands of the Jews among them. It is probable that at least 10,000 of the Jews of New York City and other cities where they are conspicuous are now in the Catskills. The old clothes merchant, the small jeweler, the junk dealer, the tailor and men of all professions and trades are to be seen on the East Side as well represented. The breadwinner may remain only for a few days or two or three weeks, but his family, parents and perhaps grandparents are to be seen in the resort. Many aged persons are among them.

The Jews, rich or poor, do not like to get far from the railroad, and so they are not seen at all in the mountain districts. They stay in the resorts, their favorite centers into and around which they crowd, utterly neglecting many a railroad hamlet and its surroundings that are just as convenient in all respects as desirable as the districts into which they throng. The poorer among them are much in evidence at the cheap and isolated boarding houses along the roads for five or six miles from the villages filled with their more prosperous compatriots.

The Catskill farmer is not yet quite accustomed to the new season's trade. He is likely to be surprised by the troops of boys and girls, beginning with healthful country dirt, wearing no superfluity of clothing and all screaming for a ride. The modest rural hamlet is often embarrassed by the women who ask him for a "lift" back to their boarding places from which they have wandered far. The hayfield is a favorite resort, and the older boys, who sound eight haycocks in one field, make the center of a family group, the women busy with their sewing or pilloving their heads on the fragrant timothy for a snooze. There is lack of diversion in the Catskills, but the East Side contingent is the first to make the most of the slender opportunities. Food peddling in a brook is conspicuous in the list of amusements.

Heads of the Jews are seen in these odd country boarding houses at the right moment, a witness a most remarkable transformation. No one is in sight and the peace and quiet of nature in her most beautiful surroundings. Then the Jews appear, and the scene is changed. The Jews are seen in the most beautiful surroundings, and the scene is changed. The Jews are seen in the most beautiful surroundings, and the scene is changed.

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## Senators and Good Manners.

TO THE EDITOR OF THE SUN:—Sir: I observe occasionally communications addressed to THE SUN signed "J. V. J." which are evidently from a somewhat indefinite class as to nationality. I have a baby boy whose relation to the universe is somewhat perplexing to me.

My father-in-law, who is an Irish-German, was born in the Ninth ward. I married an English girl, and a boy was born in Mexico. A reckless villain might burden the juvenile cast of the infant with the name of "J. V. J." and it is necessary to remind what is good manners of the consumers of beer and also to the honest brewers who make the real article.

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## YELLOW JACK AND THE ARMY.

Has the War Department Adopted Wisely in New Orleans?

TO THE EDITOR OF THE SUN:—Sir: Heretofore when yellow fever has appeared at or even approached army posts the troops have been promptly removed to some uninfected distant place. This year at the outbreak of the epidemic in New Orleans, on the recommendation of one medical officer, of the grade of Lieutenant-Colonel only, the troops have been kept at the infected place, regardless of every consideration, to their positive detriment in every way as soldiers, against the judgment, recommendation and wishes of able and disinterested officers, who know the situation perfectly, as well as those in charge of the troops, some of whom are immune themselves, all of whom are men of known bravery, who would never run from danger in their country's defense, but who consider their lives and those of their men of too much value to their Government to be wantonly flung away.

The War Department takes the stand that the immediate source of infection being removed, the disease will not spread. This is a perfectly correct statement, as long as the troops are kept in a long quarantine in such very restricted limits, as well as of the fact that a perfect quarantine at this place is impossible. It is conceded by the medical officers here and practically granted by those in authority, that the disease will not spread beyond the limits of the infected place, and that the troops are immune themselves, all of whom are men of known bravery, who would never run from danger in their country's defense, but who consider their lives and those of their men of too much value to their Government to be wantonly flung away.

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